

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA : Honorable Michael A. Shipp, U.S.D.J

v. : Crim. No. 21-872

MICHAEL DELAHANTY, : 18 U.S.C. 242
MATTHEW PRZEMIENIEKI and
JUSTIN UBRY : OMNIBUS MOTION TO DISMISS INDICTMENT
AND TO COMPEL THE PRODUCTION OF
: CERTAIN DISCOVERY AND OTHER RELIEF

To: Joseph Gribko, AUSA
Martha Nye, AUSA
United States Attorney's Office
District of New Jersey
402 E. State Street
Trenton, NJ 08608

PLEASE TAKE NOTICE that defendant Matthew Delahanty by and through his attorneys David P Schroth Esq., Destribats, Campbell, Staub and Schroth will move before the Honorable Michael A Shipp, U.S.D.J. in the United States District Court for the District of New Jersey on a date and time to be set by the court, for the following relief:

1. Dismissal of Count One of the Indictment as to Michael Delahanty
2. Disclosure of government expert reports, qualifications and summaries of expert testimony.
3. Disclosure of exculpatory evidence pursuant to *Brady v. Maryland*, 373 U.S. 83 (1963).
4. Disclosure of evidence the government will seek to use pursuant to Federal Rule of Evidence 404 (b).
5. Disclosure of Jencks Act material in advance of trial.
6. Pursuant to *Fed.R.Crim.P.* 6(e)(3)(E)(ii), authorizing disclosure of Grand Jury material to the defendant, including the Government's instruction of law to the Grand Jury as to Count 1 of the

Indictment, the testimony of all grand jury witnesses and all exhibits presented to the Grand Jury and any colloquy between the grand jurors and Assistant U.S. Attorney.

7. Leave to file additional motions as may be necessary during the continuation of discovery and investigation.

8. Defendant Delahanty joins in any motions filed by codefendants that may be applicable to his case.

PLEASE TAKE FURTHER NOTICE defendant Michael Delahanty through his attorneys shall rely on the brief and exhibits submitted in support of this motion.

Date: April 7, 2022

/s/ David P. Schroth
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